

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

MARC S. KIRSCHNER, AS LITIGATION TRUSTEE  
OF THE LITIGATION SUB-TRUST,

Plaintiff,

v.

JAMES D. DONDERO; MARK A. OKADA; SCOTT  
ELLINGTON; ISAAC LEVENTON; GRANT JAMES  
SCOTT III; STRAND ADVISORS, INC.; NEXPOINT  
ADVISORS, L.P.; HIGHLAND CAPITAL  
MANAGEMENT FUND ADVISORS, L.P.;  
DUGABOY INVESTMENT TRUST AND NANCY  
DONDERO, AS TRUSTEE OF DUGABOY  
INVESTMENT TRUST; GET GOOD TRUST AND  
GRANT JAMES SCOTT III, AS TRUSTEE OF GET  
GOOD TRUST; HUNTER MOUNTAIN  
INVESTMENT TRUST; MARK & PAMELA OKADA  
FAMILY TRUST – EXEMPT TRUST #1 AND  
LAWRENCE TONOMURA AS TRUSTEE OF MARK  
& PAMELA OKADA FAMILY TRUST – EXEMPT  
TRUST #1; MARK & PAMELA OKADA FAMILY  
TRUST – EXEMPT TRUST #2 AND LAWRENCE  
TONOMURA IN HIS CAPACITY AS TRUSTEE OF  
MARK & PAMELA OKADA FAMILY TRUST –  
EXEMPT TRUST #2; CLO HOLDCO, LTD.;  
CHARITABLE DAF HOLDCO, LTD.; CHARITABLE  
DAF FUND, LP.; HIGHLAND DALLAS  
FOUNDATION; RAND PE FUND I, LP, SERIES 1;  
MASSAND CAPITAL, LLC; MASSAND CAPITAL,  
INC.; AND SAS ASSET RECOVERY, LTD.,

Defendants.

Chapter 11

Case No. 19-34054-sgj11

Adv. Pro. No. 21-03076-sgj  
STIPULATION

**STIPULATION TO EXTEND PLAINTIFF'S RESPONSE DATE AND DEFENDANT  
HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.'S REPLY DATE  
WITH RESPECT TO MOTION TO RECUSE**

This stipulation (the "Stipulation") is made and entered into, subject to Court approval, in  
the above-captioned adversary proceeding (the "Adversary Proceeding") by and among Marc S.

Kirschner, as Litigation Trustee of the Litigation Sub-Trust (the "Litigation Trustee" or "Plaintiff"), and Defendant Highland Capital Management Fund Advisors, L.P. ("Defendant" and together with the Litigation Trustee, the "Parties"), by and through their respective undersigned counsel. In support of the Stipulation, the Parties respectfully state and stipulate as follows:

IT IS HEREBY JOINTLY STIPULATED AND AGREED as follows:

(1) Plaintiff's deadline to respond to Highland Capital Management Fund Advisors, L.P.'s Motion to Recuse [Docket No. 309] (the "Motion") is extended from March 20, 2023 to April 3, 2023.

(2) Defendant Highland Capital Management Fund Advisors, L.P.'s deadline to file a reply in further support of the Motion shall be April 17, 2023.

(3) This Stipulation may be executed in counterparts. A facsimile, electronic, or photocopy of this Stipulation and the signatures hereto shall have the same effect and may be accepted with the same authority as if it were an original.

Dated: March 10, 2023  
Dallas, Texas

**SIDLEY AUSTIN LLP**

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-and-

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***Attorneys for Defendants Highland  
Capital Management Fund Advisors, L.P.***